

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

TOLLIVER

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:08cv305DCB-JMR

LEXINGTON INSURANCE

DEFENDANT

ORDER

This cause comes before the Court on the ore tenus motion of the plaintiff to stay pursuant to the activation of his military service. The Court finds that there appears to be no further reason to maintain the file as an open one for statistical purposes.

Nothing contained in this minute entry shall be considered a dismissal or disposition of this matter and should further proceedings in it become necessary or desirable, any party may initiate it in the same manner as if this minute entry had not been entered . Upon notification of Mr. Daniel's release from active military duty, the Court will place this matter back on the active docket.

This the 30<sup>th</sup> day of June, 2009

*S/John M Roper, Sr.*

UNITED STATES MAGISTRATE JUDGE